

Notice of Removal (Part 1)

- STEP 1.** Click on **Adversary** on the ECF Main Menu Bar.
- STEP 2.** Click on **Open an AP Case**.
- STEP 3.** **Case type** and **Date filed** are automatically filled in; but **Complaint** defaults to y. **DO NOT CHANGE THIS.**
- ☐ Click **Next**.
- STEP 4.** The case association screen displays.
- ☐ Enter **Lead case number** in YY-NNNNN format. This would be the Bankruptcy Case Number. If the related main case is pending outside the District of Oregon, use 00-99999 as the Lead case number.
 - ☐ **Association type** is **Adversary** and **must not be changed**.
 - ☐ Click **Next**.
- STEP 5.** At the **Open Adversary Case** screen, the case will be automatically assigned to the Division Office and Judge handling the main case.
- ☐ Click **Next**.
- STEP 6.** The **Search for a plaintiff** screen displays.
- ☐ Enter the party's relevant identifying information. You may search by Social Security Number, Tax ID Number, Last Name and First Name, Last Name only, or by a Business Name. Refer to the Style Guide for the style conventions for adding parties and addresses.
 - ☐ Click **Search**.
 - ☐ If there is a match from the **Party search results** box, click on the party. Remember to select the party with no address association, unless you are representing a debtor or debtor-in-possession. Hit **Select name from list**.
 - ☐ If there is no match, you will receive the response **No person found**; click **Create new party**.

- ☐ At the **Plaintiff Information** screen, verify the party's name. If you are creating a new party for an individual, you must enter the first name and, if applicable, the middle initial or name. If the party is a business, it must appear in the **Last name** field. Do not enter an address or other contact information. **Role in Bankruptcy Case** is a requirement. Click **Attorney**, **Alias**, or **Corporate Parent** to add relevant information (you will always need to add yourself). You may click **Review** to see an information summary; otherwise click **Submit**.
- ☐ If you are entering/selecting a business name, one or two pop-ups will display: **Warning: The First name is blank** and/or **Warning: The Address 1 is blank**. Click "OK" to both, then click **Submit** again.
- ☐ At the next **Search for a plaintiff** screen, continue to add additional plaintiffs as indicated above, or click **End plaintiff selection**.

STEP 7. The **Search for a defendant** screen displays.

- ☐ Enter the party's relevant identifying information. You may search by Social Security Number, Tax ID Number, Last Name and First Name, Last Name only, or by a Business Name. Refer to the Style Guide for the style conventions for adding parties and addresses. **An address for defendant parties is required.**
- ☐ Click **Search**.
- ☐ From the **Party search results** box, click on the party. Hit **Select name from list**, only if the party is the correct party with their current address. If the party selected does not have an address associated, or our database does not include a record for this defendant, click **Create new party** and proceed as above. Though you will add an address this time, do not use the Office field. Refer to the Style Guide for the style conventions for adding parties and addresses.
- ☐ At the **Defendant Information** screen, verify the party's name and address. **Role in Bankruptcy Case** is a requirement. Click **Attorney (*)**, **Alias**, or **Corporate Parent** to add relevant information (again, you will always need to add yourself). You may click **Review** to see an information summary; otherwise click **Submit**.
- ☐ (*) If our database does not have an attorney record, or has one but with outdated information (e.g., address), do NOT create a new attorney record. If said attorney makes an appearance later in the case, an appropriate record will be created/used at that time.
- ☐ At the next **Search for a defendant** screen, continue to add additional defendants as indicated above, or click **End defendant selection**.

STEP 8. Statistical Information screen displays. Use the Adversary Proceeding Coversheet (LBF #APCS) as a guide to fill out this page.

- ☐ **Party code:** select the party status of the US from the drop-down list.
- ☐ **Primary nature of suit:** select **01 Determination of removed claim** from the drop-down list.
- ☐ **Second through Fifth natures of suit:** you may select one nature of suit per drop-down list. If there are no additional natures of suit leave the defaults to NONE.
- ☐ **Rule 23 (class action):** if action is not class action suit, select **n**; if class action suit, select **y**.
- ☐ **Jury demand:** if a jury demand is requested, select the appropriate party(ies) from the drop-down list; if a jury demand is not requested, select **None**.
- ☐ **Demand (\$000):** enter the dollar amount, rounded to the nearest thousand, i.e., \$500.00 would be entered as 1; \$40,000 would be entered as 40.
- ☐ **State Law:** select **n** (default), or change to **y** if case involves a substantive issue of state law.
- ☐ Click **Next**.

STEP 9. The **Open Adversary Case** screen displays.

- ☐ Click **Next** three times.

STEP 10. Verify the docket text in the **Commencement of Adversary Proceeding** window.

- ☐ Click **Next**.

STEP 11. The **Electronic Payment** window may display if prior fee-based events were entered and not paid for.

- ☐ If you receive the Electronic Payment window, click **Continue Filing** to file the **Notice of Removal** document. You can pay at the conclusion of that filing.

STEP 12. The **Notice of Electronic Filing** screen displays indicating this event was automatically cross-docketed between the new adversary proceeding and the main bankruptcy case. Insert the adversary proceeding number into the **Notice of Removal**, much like you would do when filing a **Complaint**.

STEP 13. **Immediately** follow the **Open an AP Case** event by filing the **Notice of Removal** document. The filing procedure follows.

Notice of Removal (Part 2)

- STEP 14.** Click on **Adversary** on the ECF Main Menu Bar.
- STEP 15.** Click on **Complaint & Summons**.
- STEP 16.** At the **Case Number** screen, enter the Adversary Proceeding number in YY-NNNN format. If you do this immediately after opening the adversary proceeding, the case number will appear in the proper field.
- ☐ Click **Next**.
- STEP 17.** Verify the Adversary Number and Name. From the drop-down list, select **Notice of Removal**.
- ☐ Click **Next**.
- STEP 18.** At the **Select the Party** screen, click on the party or parties removing the case.
- ☐ Click **Next**.
- STEP 19.** At the next **Select the Party** screen, select the opposing parties; either from the list or by clicking on the appropriate button at **Select a Group**.
- ☐ Click **Next**.
- STEP 20.** Answer the two questions regarding the Plaintiff's status to determine the filing fee, or to determine if the fee is waived or deferred.
- ☐ Click **Next**.
- STEP 21.** The filing fee amount will appear as appropriate.
- ☐ Click on the **Browse** button to attach the pdf.
- ☐ Click **Next**.
- STEP 22.** A case verification screen appears. It should say "Notice of Removal" by the party or parties removing the case, only.
- ☐ Click **Next**.

STEP 23. The **Electronic Payment** window may now display if there is an attendant fee with this Notice of Removal. Click **Pay Now** to pay your fees. At the conclusion of this, you will be returned to the final screen, the Notice of Electronic Filing.

- ☐ Both the opening of the adversary proceeding and the Notice of Removal have cross-docketed over into the main case. From this point on, though, documents filed in the new adversary proceeding will not do so; only when the adversary proceeding is closed will this information again cross-docket over into the main case. Keep this in mind when drafting your certificates of service for the adversary proceeding (i.e., parties to the main case might not be parties, electronic or otherwise, to the adversary proceeding).
- ☐ Please contact an Adversary Proceeding clerk should you require a Summons be issued.